



Steve Bullock, Governor

Dan Vermillion, Chairman
PO Box 668
Livingston, MT 59047
406-222-0624
District 2

Gary J. Wolfe
4722 Aspen Drive
Missoula, MT 59802
406-493-9189
District 1

Richard Stuker
1155 Boldt Road
Chinook, MT 59523
406-357-3495
District 3

Richard Kerstein
Box 685
Scobey, MT 59263
406-783-8564
District 4

Matthew Tourtlotte
940 Blonco Circle
Billings, MT 59105
406-698-9696
District 5

M. Jeff Hagener, Director
MT Fish, Wildlife & Parks
1420 East Sixth Avenue
PO Box 200701
Helena, MT 59620-0701
406-444-3186
(Fax) 406-444-4952

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Montana Fish & Wildlife Commission

MINUTES

Montana Fish and Wildlife Video-Conference Commission Meeting

FWP Headquarters – Helena, MT

January 14, 2016

Commission Members Present via video: Dan Vermillion-Chairman, Richard Stuker-Vice-Chairman, Matt Tourtlotte and Richard Kerstein

Fish, Wildlife & Parks Staff Present: Jeff Hagener, Director and FWP Staff.

Guests: January 14, 2016 - See Commission file folder for sign-in sheet.

Topics of Discussion:

1. Call to Order and Pledge of Allegiance
2. Approval of Minutes of the November 12, 2015 and December 10, 2015 Commission Meeting
3. Approval of Commission Expenses
4. Commission Reports
5. Director's Report
6. Little Prickly Pear Creek-Missouri River, Public Safety Closure - Rock Fall Abatement – Proposed
7. ARM Amendments Regarding Removal of Ice Shelters on Lake Helena and Hauser Lake - Final
8. Authority to Prohibit Floating near Supply Ditch on the Bitterroot River Biennial Rule - Final
9. Keep Cool Hills Recreational Use Agreement Biennial Rule Renewal – Proposed
10. North Shore Wildlife Management Area Addition (R1) – Final
11. Clear Creek Addition to Nevada Lake Wildlife Management Area (R2) – Final
12. Rehbein Addition to Fish Creek Wildlife Management Area (R2) – Final
13. Unlocking Public Lands ARM Amendments – Final
14. Alberta Sage Grouse Translocation – Final
15. Peregrine Falcon Take Biennial Rule – Proposed
16. Hunting Districts with Expanded Permit To Hunt From A Vehicle – Proposed
17. Public Comment – For Issues Not On This Agenda

1. Call to Order - Pledge of Allegiance

Chairman Vermillion called the meeting to order at 8:31 a.m. and led the Pledge of Allegiance.

2. Approval of Minutes of the November 12, 2015 and December 10, 2015 Commission Meeting
Action: Vice-Chairman Stuker moved and Commissioner Tourtlotte seconded the motion to approve the minutes of the November 12, 2015 Commission meeting, with an amendment of agenda item 16, Waterfowl Regulations – Central Flyway Duck Zone Adjustments (to match the goose zones) – Final, motion be changed to state “that the Commission adopt changing the duck zones to match the existing goose zones in the Central Flyway portion of the state.” Motion passed.

Action: Vice-Chairman Stuker moved and Commissioner Tourtlotte seconded the motion to approve the minutes of the December 10, 2015 Commission meeting, with an amendment to Vice-Chairman Stuker's report to state “Met with Region 4 and Region 6 staff to discuss the proposed season settings and will meet with Region 6 staff again at a later date.” Motion passed.

3. Approval of Commission Expenses

Action: Vice-Chairman Stuker moved and Commissioner Tourtlotte seconded the motion to approve the December Commission expenses. Motion passed.

4. Commission Reports

Commissioner Kerstein reported he attended public season setting meetings in Glasgow and Plentywood; wildlife biologists did a great job; no contentious issues; discussions on shoulder seasons and asking the Department for more trophy mule deer; unable to attend meeting in Malta. Attended Daniels County Conservation Board of Supervisors meeting; Michelle Downey has been hired as the new Pheasants

Forever biologist for Daniels, Sheridan and Roosevelt Counties. Approved damage hunts for hunting district (HD) 22; hunts will begin soon. Received several correspondences on the HD 313 proposal.

Vice-Chairman Stuker reported he attended the Region 4 turkey release; very interesting; good conversations with landowners. Attended season setting meeting in Havre and Conrad; biologists did a great job in answering questions; public asked if the pilot project data will be available for the public to review before the end of the comment period; conversations on HD 415 and issues with FWP and the Blackfoot Tribe. Conversations on the proposed sage grouse translocation, and the possibility of a conflict with the proposed early shoulder seasons and archery season.

Commissioner Tourtlotte reported he has had multiple discussions on shoulder seasons and HD 313; discussions with concerned archery hunters regarding the early season shoulder season; conversations with non-hunters who are surprised at the length of the proposed elk season in certain areas. Discussed the Boulder Forks Fishing Access Site (FAS) and Shawn Titeca issue with several individuals; Brett French wrote an article in the Billings Gazette in regards to the issue; the Environmental Assessment (EA) is out for public comment; hopes the Department is improving the site for the right reasons; would like to formally condemn hostile aggression actions in public access sites. Discussions with local sportsmen on preliminary proposal ideas on how to forge better partnerships with landowners and sportsmen.

Chairman Vermillion reported several calls on the proposed season setting; HD 313 is still creating a lot of public comment, comment period closes on January 22; concerns regarding the length of the hunting season; Department and Commission need to be aware of how the information will be available for the public, after the comment period is closed. Calls and concerns regarding management hunt on ranches without reasonable public access; need to focus hunts on places that qualify for reasonable public access. Calls on the Boulder Forks FAS and the use of sportsmen dollars used to alleviate dispute; need to be careful not to set precedent; all parties need to be respectful. Attended the Western Association of Fish and Wildlife Agencies (WAFWA) winter meeting; good discussions; encourages the Commissioners to attend the summer meeting in Cody, Wyoming. Working on a letter with Commissioner Wolfe to the Congressional delegations regarding the current public debate, on the experimental sheep station.

5. Director's Report

Director Hagener reported negotiations for the grizzly bear delisting are still continuing; getting close to a final decision. Attended WAFWA winter meeting; discussions on the Blue Ribbon Panel and off-shore royalties; WAFWA summer meeting will be held July 22-27, in Cody, Wyoming; encourages the Commission to attend a portion of the meeting. Navratil property easement is moving forward; will bring to the Commission in February, possibly an earlier conference call if needed. Idaho lost a court case similar to the Department's trapping lawsuit; Idaho did not settle and lost case in court. Several conversations on shoulder seasons, length perception, and overlap with archery hunting season.

John Vore, Game Management Bureau Chief, gave a brief Department update on the proposed season settings.

6. Little Prickly Pear Creek-Missouri River, Public Safety Closure - Rock Fall Abatement – Proposed

Bruce Rich, Fisheries Administrator, explained the Montana Department of Transportation (MDT) notified FWP in 2015 of its intent to reduce rock fall hazards on Interstate 15 between Helena and Great Falls in early 2016; the project will modify existing rock slopes to improve traveler safety. Three work sites are scheduled near Wolf Creek, and two north of Craig. Due to proximity with recreational areas, MDT is requesting the Commission authorize temporary access site and river closures to ensure public safety during explosives work; 30 closures, each lasting approximately one hour, are anticipated. The contractor will be required to provide advance notification to the public of all explosives work, and signage at boat ramps and access sites near each blasting location. The contractor will be required to coordinate with FWP prior to each closure, and will provide spotters within the appropriate work area to ensure public safety. In consultation with the local Commissioner, MDT and FWP will briefly close the river, stream, or appropriate FAS during active explosives work, as safety dictates, between March 15 and November 1, 2016. MDT is required to develop a public involvement plan and public awareness requirements are included as a special provision in the contract bid package. Environmental documentation has been prepared and the project qualifies as a Categorical Exclusion in compliance with the Administrative Rules of Montana (ARM) and Federal Highway Administration requirements.

Action: *Vice-Chairman Stuker moved and Commissioner Tourtlotte seconded the motion that the Commission approve an annual rule authorizing FWP, in consultation with the local F&W Commissioner, to temporarily close a portion of Little Prickly Pear Creek, a portion of the Missouri River, and nearby fishing access sites to protect public safety during the rock-fall hazard reduction work scheduled between March 15 and November 1, 2016.*

Chairman Vermillion asked for public comment.

Action on Motion: *Motion passed.*

7. ARM Amendments Regarding Removal of Ice Shelters on Lake Helena and Hauser Lake – Final

Bruce Rich, Fisheries Administrator, stated the final proposal is unchanged from the tentative proposal (see minutes from the October 8, 2015 Commission meeting). No public comments were received.

Action: *Commissioner Tourtlotte moved and Vice-Chairman Stuker seconded the motion that the Commission amend ARM 12.6.106, removal of shelters as proposed.*

Action on Motion: *Motion passed.*

8. Authority to Prohibit Floating near Supply Ditch on the Bitterroot River Biennial Rule – Final

Bruce Rich, Fisheries Administrator, explained in 2011, the Bitterroot River shifted flow into a new stream channel and over the Supply Ditch Diversion which has a deceptive hydraulic, and is dangerous to floaters. After accidents were reported 2011, FWP placed signs at access sites and on the river to warn of the danger; despite educational efforts, several more accidents and one fatality occurred in 2013. Additional notice followed using signs and newspaper articles and no more accidents occurred in 2013; in spring 2014, at least two more accidents occurred and by April, FWP initiated an emergency rule closure for user safety, from Woodside Crossing FAS downstream to Tucker Crossing (West) FAS. In 2015, FWP asked for the authority to close the river if certain criteria were reached; the river was never closed in 2015. FWP is taking steps to avoid closure but the potential need remains for 2016 and 2017. If the dam is successfully repaired, the rule would be rescinded. Public comment was collected from November 13 until December 18; a public meeting was held in Hamilton on December 1; 17 comments were received, 2 were not applicable, 35% supported and 53% opposed; opposition involved concern about closing rivers to public use in principle, regardless of the motivations for considering the closure. The Department anticipates construction will begin in the fall of 2016, and a closure would also be necessary to complete the work. Any floating closure would meet public safety objectives, while minimizing the length of time and the length of river affected. When the dam is successfully repaired, the rule would be retracted as soon as it is safe to do so.

Director Hagener stated a permanent fix is anticipated within the next year.

Action: *Vice-Chairman Stuker moved and Commissioner Tourtlotte seconded the motion that the Commission adopt the biennial rule to allow FWP to close the Bitterroot River to floating and boating, if necessary for user safety and/or possible repair from Woodside to Tucker FAS.*

Commissioner Kerstein stated with the number of comments opposed, he struggles with supporting the proposal; is it the role of the Department to protect people who do stupid things?

Chairman Vermillion asked for public comment.

Chairman Vermillion stated the Department does numerous things to protect public from themselves; Department has shown they are not using this authority in a way that is not indiscriminate; happy to hear the plans for construction are moving forward.

Action on Motion: *Motion Passed. 3-1*

*Chairman Vermillion, Vice-Chairman Stuker and Commissioner Tourtlotte – aye
Commissioner Kerstein - nay*

9. Keep Cool Hills Recreational Use Agreement Biennial Rule Renewal – Proposed

Alan Charles, Landowner Sportsman Coordinator, explained this proposal would extend existing rules another two years on the 15,000-acre Keep Cool Hills Cooperative Management Area north of Lincoln that was established in 2007. Sieben Ranch Company (SRC) owns most of the land, with some parcels owned by the Montana Chapter of The Nature Conservancy (TNC); a portion is state land and is administered by the Montana Department of Natural Resources and Conservation (DNRC). Prior to 2006, unmanaged public access resulted in significant resource damage to lands in this area, causing the landowners to consider closing the area to public access. The rules provide for managed public access throughout the year. There has been extensive public involvement since 2006; public comment will be solicited and brought back to the Commission at their March meeting for final approval. Without adoption of the proposal, SRC may close lands under its control to public access.

Action: *Vice-Chairman Stuker moved and Commissioner Tourtlotte seconded the motion that the Commission propose the Keep Cool Hills Cooperative Management Area Biennial Rule.*

Chairman Vermillion thanked SRC and TNC for working with the Department on a management and access plan; important to keep this relationship strong.

Chairman Vermillion asked for public comment.

Rod Bullis, Helena Hunters and Anglers (HHA), supports proposal; great opportunity to move forward.

Action on Motion: *Motion passed.*

10. North Shore Wildlife Management Area Addition (R1) – Final

Rick Northrup, Wildlife Habitat Bureau Chief, explained FWP proposes to purchase 76.7 acres of farmland and wetlands located along the north shore of Flathead Lake, east of Somers. The acquisition will restore or improve natural riparian/wetland habitat, continue annual crop production to benefit resident and migratory waterfowl, improve and maintain habitat for other wildlife, and provide

opportunities for seasonal public recreation. Other benefits include protecting ground water, surface water, and wetlands on or near Flathead Lake, which will help improve or maintain the high water quality of Flathead Lake for benefits of aquatic life and wildlife habitat. The property sits on the eastern boundary of the 189-acre North Shore Wildlife Management Area (WMA), is adjacent to the 160-acre North Shore State Park/WMA and has an access road to the U.S. Fish & Wildlife Service (FWS) Flathead Lake Waterfowl Production Area. FWP proposes to incorporate this property as part of the existing North Shore WMA. The landowner has agreed to sell this property for \$489,000, 25% below the appraised value. Funding for the project would be provided by the federal Pittman-Robertson Wildlife Restoration Act (PR). The Commission first endorsed this project in May 2015. An environmental assessment (EA) was released for public comment November 6 – December 5 and included a public hearing; a legal notice was published in local newspapers and posted on the FWP webpage; 14 public comments were received; 12 in favor of the acquisition, one expressing a management request, and one having various concerns.

Action: *Commissioner Tourtlotte moved and Vice-Chairman seconded the motion that the Commission approve the acquisition of the proposed addition to the North Shore Wildlife Management Area.*

Chairman Vermillion asked for public comment.

Chairman Vermillion stated 93% of the people support this acquisition; hopes the legislators who continually push for selling public land will look at this acquisition and realize public lands are generally and strongly supported by the citizens of Montana.

Action on Motion: *Motion passed.*

11. Clear Creek Addition to Nevada Lake Wildlife Management Area (R2) – Final

Rick Northrup, Wildlife Habitat Bureau Chief, explained FWP proposes to add about 760 acres to the Nevada Lake WMA, southeast of Helmville. The parcels are currently owned by TNC and were included in TNC's acquisition of Plum Creek Real Estate Investment Trust lands as part of the Blackfoot Community Project several years ago. The addition of these parcels would protect deer and elk wintering habitat, contribute to large-scale wildlife connectivity (including grizzly bears), establish a shared boundary with US Forest Service (FS) lands, improve recreational access between the public lands and would be adjacent to the Dalton Mountain conservation easement (CE). The appraised value is \$750,000, of which FWP would pay 75% (\$562,500) using a grant from the U.S. Forest Service Forest Legacy Program (FSFLP) and the remaining 25% would be donated by TNC as match for the grant. The Commission endorsed this project in 2008 and was updated in October 2014 after the Forest Legacy grant was awarded to FWP. FWP released a draft EA for public review on November 12 and accepted public comment through December 11; a public meeting was held November 19 in Helmville; 21 comments were received; 19 comments were in support and 1 was in support contingent on changes to elk hunting season regulations; 1 comment opposed the purchase and recommended keeping the land in private ownership.

Action: *Vice-Chairman Stuker moved and Commissioner Tourtlotte seconded the motion that the Commission approve the purchase of this addition to Nevada Lake WMA.*

Commissioner Tourtlotte stated this acquisition gives a better opportunity to achieve more and better access; applauds the Department; hopes the Legislature takes notice of the overwhelming support of these acquisitions.

Chairman Vermillion thanked the congressional representatives in Washington DC for getting the Land and Water Conservation Fund (LWCF) reauthorized; LWCF is working for great recreational opportunities for all Montanans.

Chairman Vermillion asked for public comment.

Action on Motion: *Motion passed.*

12. Rehbein Addition to Fish Creek Wildlife Management Area (R2) – Final

Rick Northrup, Wildlife Habitat Bureau Chief, explained FWP proposes to purchase a 320-acre addition to the Fish Creek WMA from the Rehbein family for the appraised value of \$1.4 million, using PR and Habitat Montana (HM) funds. The property is a private inholding within the 34,573-acre Fish Creek WMA and is bordered by the DNRC, FS, and a small private parcel. The Commission first endorsed this project in 2013. The property has unique watershed valuable habitat, and as a corridor to wildlife movement and dispersal. The property includes approximately 1.3 miles of the West Fork of Fish Creek and its associated riparian corridor, and lower sections and confluence areas of Bear Creek, Trail Creek, and Winkler Gulch. The property contains 72 acres of stream corridor, riparian areas, and associated wetlands; 148 acres of adjacent upland habitat significant as winter range for elk and other wildlife species. The area is recognized as an important forest carnivore linkage zone, supports elk, mule deer, moose, high densities of white-tailed deer, and represents some of the best remaining habitat for bull trout and westslope cutthroat trout in the Middle Clark Fork. Acquiring this inholding would benefit the integrity of the WMA and other adjacent public lands while providing additional opportunity for public access. The Department will do everything possible to restrict motorized access on this acquisition except on designated roads. FWP released a draft EA for public review on October 8 and accepted public comment through November 6; a public hearing was held in Alberton on October 20; 32 comments were received, representing 25 people, 6 organizations and 1 agency; 28 comments supported the acquisition, 3 opposed, and 1 did not indicate a preference.

Action: *Vice-Chairman Stuker moved and Commissioner Tourtlotte seconded the motion that the Commission approve FWP's purchase of the addition to Fish Creek WMA.*

Chairman Vermillion asked for public comment.

Nick Gevok, Montana Wildlife Federation (MWF), strongly supports proposal.

Vice-Chairman Stuker stated he firmly supports any purchases of inholdings within existing properties for management purposes; strongly supports acquisition.

Chairman Vermillion stated the Department pays the taxable value on this property; supports proposal; well managed and great public recreational opportunity.

Action on Motion: *Motion passed.*

13. Unlocking Public Lands ARM Amendments – Final

Alan Charles, Landowner Sportsman Coordinator, explained the 2015 Legislature passed SB309, establishing a program in which a private landowner who provides public access to a parcel of public land through a contractual agreement with FWP, can receive a \$750 tax credit for each qualified access to state land, with a limit of \$3,000 per year. The law requires the Commission to adopt administrative rules for establishing contracts that address: duration of access; types of qualified access; and reasonable landowner-imposed restrictions. The law became effective January 1, 2016, applies to tax years beginning after December 31, 2015, and terminates December 31, 2020. FWP intends to commence the administrative process of developing contracts with landowners upon adoption of final ARM. Public comment opportunity ran from October 29 through November 27; 4 comments were received and all were in support of the proposed rule, and all requested consideration of inserting trapping into the list of authorized recreational uses identified in the rule. FWP concurred with that recommendation, and made changes to the proposed rule. Failure to adopt proposed amendments would result in inconsistency and noncompliance with Senate Bill (SB) 309.

Action: *Commissioner Tourtlotte moved and Vice-Chairman Stuker seconded the motion that the Commission adopt the proposed amendments to ARM 12.2.601 State Land Access Tax Credit.*

Chairman Vermillion asked for public comment.

Chairman Vermillion commended the Department for expanding the trapping component to the rule.

Action on Motion: *Motion passed.*

14. Alberta Sage Grouse Translocation – Final

John Vore, Game Management Bureau Chief, stated the final proposal is unchanged from the tentative proposal (see minutes from the November 12, 2015 Commission meeting). Public comment was solicited; 9 comments were received; 2 supporting and 7 opposed; most spoke to removing birds from Montana, while other issues raised included genetic diversity, relevant plans, disturbance to leks, predators, disease, habitat, FWP resources, connectivity, and the need for an Environmental Impact Statement (EIS); all comments were addressed in the final EA.

Chairman Vermillion, Vore and Scott Thompson, Region 6 Wildlife Manager, discussed the current EA and the Department's requirement to revisit with the Commission prior to any future translocations.

Action: *Chairman Vermillion moved and Commissioner Tourtlotte seconded the motion that the Commission endorse FWP's proposal to translocate sage grouse to Alberta, for a one time transfer in 2016, with the understanding that the Department and the Province of Alberta, will gather the necessary data both in Montana and Alberta about the effects, impacts and the outcome of the efforts to diversify the sage grouse population in Northern Montana and Southern Alberta. Prior to any subsequent cohorts, the Department be required to come back to the Commission for authorization for any transfers in 2018 and 2020.*

Vice-Chairman Stuker and Vore discussed the possibility of augmenting or starting a new population of sage grouse in Montana.

Vice-Chairman Stuker stated he met with Region 6 staff a number of times regarding the proposal; will oppose for a couple of reasons, has several concerns; majority of commenter's oppose the translocation.

Commissioner Tourtlotte stated translocating sage grouse to Alberta would augment and strengthen the Montana population; proposal is structurally sound.

Vore explained this is a trans-boundary herd; would help maintain Montana's herd; Alberta continues to increase and enhance their sage grouse habitat.

Commissioner Tourtlotte stated Commissioner Wolfe, who was unable to attend the meeting, has signified his approval for the translocation.

Commissioner Kerstein stated he supports proposal.

Chairman Vermillion asked for public comment.

Nick Gevok, MWF, supports proposal; science is sound.

Jim Brown, Montana Woolgrowers Association (WGA), too many questions left open; proposal is not ready to move forward; not in compliance; opposes proposal; EIS should be done.

Chairman Vermillion stated he supports the proposal; thanked the Environmental Quality Council (EQC) for their letter; Commission appreciated the tone of the letter; discussed EQC's concerns with the Department; scientifically rigorous project that will help the Department and the state of Montana be more effective in sage grouse conservation; in response to the EQC's letter and concerns, the Commission has asked the Department to scale back the proposal.

Chairman Vermillion, Vice-Chairman Stuker, Director Hagener and Zach Zipfel, FWP Legal Counsel, discussed the statutory requirement of the Sage Grouse Oversight Team and the Commission's authority.

Action on Motion: Motion passed. 3-1

Chairman Vermillion, Commissioner Tourtlotte, and Commissioner Kerstein – aye
Vice-Chairman Stuker – nay

Director Hagener asked to include Commissioner Wolfe's email supporting the Alberta sage grouse proposal, into the official minutes.

15. Peregrine Falcon Take Biennial Rule – Proposed

Laurie Hanauska-Brown, Non-game Bureau Chief, explained FWS delisted peregrine falcons in 1999. Monitoring since has shown steady increases in the number of nesting pairs and the production of young, primarily in western Montana. The Montana Peregrine Institute, Jay Somner and Ralph Rogers have monitored peregrine falcons across the state for the past 15 years. In 2015, a reported 129 active territories, the highest number reported since surveys began in 1994 and the highest reproductive rate recorded since 1994 of 2.4 young/active territories. The take proposed is based on the 2012 productivity estimate of 203 young fledged and the agreed to take of no more than 5% of annual productivity described in FWP's 2007 Final EA. From 2008 through 2011, 42 falconers applied for 18 permits and 5 birds were taken. In the 2012-13 and 2014-15 bienniums, take operated under a 10-bird quota for resident falconers, with 1 permit for nonresident falconers. Seven birds were taken including the allowed nonresident take in the 2012-13 biennium and 3 residents took birds during the 2014-15 biennium. Representatives of the Montana Falconers Association have requested consideration for removing the quota system altogether. FWP proposes the Commission: Authorize resident take of 10 nestling or fledged peregrines through a quota system during the 2016-17 biennium; authorize non-resident take of one nestling or fledged peregrine through a 2016-17 permit; restrict take to June 1-August 31; limit take to 1 peregrine per year per falconer; impose a 2 year waiting period for any falconer successful in taking a peregrine; allow only general or master falconers to take peregrines; prohibit take from eastern Montana to encourage expansion of the breeding population; prohibit take from certain nests of high value wildlife viewing opportunity and/or part of on-going agency approved research efforts (current list of closed-to-take nests = 8); and prohibit the sale, barter or exchange of birds from the wild.

Action: Commissioner Tourtlotte moved and Commissioner Kerstein seconded the motion that the Commission approve FWP's recommendation to authorize the take of up to 10 peregrine falcons for falconry purposes by residents, and one peregrine falcon for falconry purposes by nonresidents during the 2016-17 take period.

Chairman Vermillion asked for public comment.

Blair Anderson, Montana Falconer's Association, supports proposal.

Action on Motion: Motion passed.

16. Hunting Districts with Expanded Permit To Hunt From A Vehicle – Proposed

John Vore, Game Management Bureau Chief, explained FWP proposes to allow Permit to Hunt from a Vehicle (PTHVF) holders to harvest antlerless elk in 44 HD in Region 2 and Region 3; Region 2 (17) HDs: 201-00, 204, 210, 211, 212, 213, 214, 215, 216, 217, 240, 261, 262, 283, 291, 292, and 293. Region 3 (27) HDs: 300, 301, 302, 311, 317, 318, 319, 321, 328, 329, 331, 332, 334, 335, 339, 340, 341, 343, 350, 360, 361, 362, 370, 380, 388, 391, and 392. Other HDs were not considered because if current proposals before the Commission are adopted, Regions 4, 5 and 7 will have antlerless opportunity for a general license holder in almost all HDs. Region 6 is a mixture of permit-only and general-license opportunities, and HDs with general-license opportunities are already either-sex. Region 1 has lower densities of elk overall and additional opportunities to harvest cows won't be offered. In 2012, the Blackfoot Access Group supported FWP in suspending special privileges for PTHFV holders to hunt antlerless elk, due in part to elk declines on public lands in Region 2 and in part to loosened criteria, since 2001, for individuals to qualify for a PTHFV, which led to abuse of the hunting privilege.

The Blackfoot Access Group worked in the 2013 legislative session to restore tighter criteria for issuing the PTHFV and the Commission committed to revisiting the topic of allowing special privileges for PTHFV holders to harvest antlerless elk. Regional wildlife biologists considered elk population status and trends in all HDs and predicted the proposed PTHFV opportunity would not contribute to an overharvest in the districts identified above. The Region 2 specific proposal was developed in active collaboration with the Blackfoot Access Group. The Region 3 portion of the proposal includes HDs that currently do not have a general antlerless opportunity but do offer a youth opportunity. Public comments will run until January 25, 2016, with final approval at the February meeting.

Action: *Vice-Chairman Stuker moved and Chairman Vermillion seconded the motion that the Commission approve for public comment FWP's proposal to allow Permission To Hunt From A Vehicle holders to harvest antlerless elk in the 44 hunting districts in Regions 2 and 3.*

Chairman Vermillion asked for public comment.

Nick Gevok, MWF, strongly supports proposal; great opportunity.

Vice-Chairman Stuker stated this is great opportunity as long as it is not abused.

Chairman Vermillion stated this is a great opportunity for those who need it and will not abuse it. Thanked the Blackfoot Access Group and Region 2 and 3 for their work on this proposal.

Action on Motion: *Motion passed.*

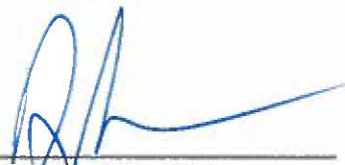
17. Public Comment – For Issues Not On This Agenda

Rod Bullis, HHA, thanked the Department and TNC for the Clear Creek addition to the Nevada Lake WMA.

Brian McCullough, Helena, shoulder hunt process is working; great opportunity.

Action: *Vice-Chairman Stuker moved and Commissioner Tourtlotte seconded the motion to adjourn the meeting. Motion Passed.*

The meeting adjourned at 11:05.m.



Dan Vermillion, Chairman



M. Jeff Hagener, Director